

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Before the Board of Patent Appeals and Interferences**

In re Application

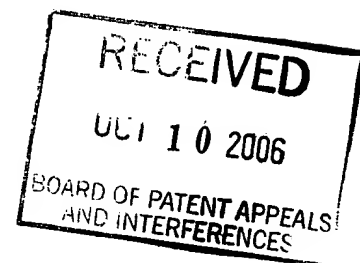
HWANG, *et al.*

Serial No. 09/738,656

Filed December 15, 2000

For: COOKIES WITH IMPROVED SHELF
LIFE AND PROCESS FOR
PREPARING THEM

: Appeal No. 2006-3238

Assistant Commissioner for Patents
Washington, D.C. 20231**Notification of Non-Attendance at for Oral Hearing
And Request for Refund**

Sir:

Appellants requested an Oral Hearing upon filing the Brief in 2004. That request has just been held insufficient, with the result that appellants will be required to pay additional fees and petition if that request is to be honored.

Accordingly, Appellant's request refund of the fee paid and notify the Board that no Petition will be filed. Please consider the appeal on the basis of the Brief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thaddius J. Carvis". The signature is fluid and cursive, with a large, stylized "C" at the end.

Thaddius J. Carvis
Registration No. 26,110
102 North King Street
Leesburg, Virginia 20176
Tel (703) 737-7817
Fax (703) 737-7813